

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 7, 9-11, 12, and 14-16 are currently pending. Claims 7, 9-11, 12, and 14-16 are hereby amended. Claims 1-6, 8, 13, 17 and 18 have been canceled without prejudice or disclaimer of subject matter

No new matter has been introduced. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §112 and §103(a)

Claims 7 and 12 were rejected under 35 U.S.C. §112, first paragraph.

Claims 7, 9-11, 12 and 14-16 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6772433 to LaJoie¹ (hereinafter, merely “LaJoie”) in view of “DVB Document A038: Specification for service information (SI) in Digital Video Broadcasting (DVB) Systems” (hereinafter, merely “DVB A038”) and further in view of “Digital Video

¹ U.S. Publication No. 2005/0015804A1 cited in the Office Action was published on January 20, 2005, later than Applicants’ filing date, which is September 8, 2000. U.S. Publication No. 2005/0015894A1 is a continuation of application No. 09/185179, filed on November 3, 1998, now U.S. Patent No. 6772433. Thus, U.S. Patent No. 6772433 is used as the reference, replacing U.S. Publication No. 2005/0015804A1, in this paper.

Broadcasting (DVB); Guidelines on implementation and usage of Service Information (SI), ETR211" (hereinafter, merely "DVB ETR211").

III. RESPONSE TO REJECTIONS

Claims 7 and 12 have been amended, thereby obviating the 35 U.S.C. §112 issue.

Claim 7 recites, *inter alia*:

"An information transmission apparatus...

...wherein said first delivery system descriptor length and said second delivery system descriptor length are set in accordance with a transport stream descriptor length.

wherein service identifiers of network information that are not retransmitted are deleted and placeholder data that has the same length of the deleted service identifiers is added, and

wherein a plurality of service list descriptors are appended to a transport stream identifier in accordance with the length of said transport stream descriptor for identifying a new or previous transmission." (emphasis added)

As understood by Applicants, LaJoie discloses a system and method are provided for providing a full service cable television system. The cable system incorporates a digital and analog transmission architecture capable of delivering a high number of high quality television programs, advanced cable services, and online services to a subscriber's home.

As understood by Applicants, LaJoie does not disclose or suggest "wherein said first delivery system descriptor length and said second delivery system descriptor length are set in accordance with a transport stream descriptor length, wherein service identifiers of network information that are not retransmitted are deleted and placeholder data that has the same length of the deleted service identifiers is added, and wherein a plurality of service list descriptors are appended to a transport stream identifier in accordance with the length of said transport stream descriptor for identifying a new or previous transmission" (emphasis added), as cited in claim 7.

The Office Action noted that “LaJoie is silent on the steps of replacing network information means prior to transmitting the data to a cable delivery network and deleting the service identifiers of network information that are not retransmitted (however note that, LaJoie does teach the step of not retransmitting certain services or “unwanted” programs), and adding placeholder data for the deleted service identifiers, the service list descriptors for services repeated in the new transmission in the cable delivery network in accordance with the TS descriptor length.” (see Office Action, page 4).

Applicants submit that the Office Action relies on DVB A038 and DVB ETR 211 to teach cited features of claim 7.

As understood by Applicants, DVB A038 discloses that both the cable and satellite system descriptors have length of 104 bits (DVB A038, tables 22 and 26, see Office Action, page 5). Applicants submit that DVB A038 does not disclose or suggest that “wherein said first delivery system descriptor length and said second delivery system descriptor length are set in accordance with a transport stream descriptor length” (emphasis added), as cited in claim 7. Applicants submit that DVB ETR211 does not disclose or suggest that “wherein said first delivery system descriptor length and said second delivery system descriptor length are set in accordance with a transport stream descriptor length” (emphasis added), as cited in claim 7.

As understood by Applicants, DVB A038 discloses the step of transmitting stuffing_descriptor for invalidating previously coded descriptors and therefore teaches the step of replacing service identifiers using placeholder when the services are no longer valid (DVB A038, clause 6.2.29, see Office Action, page 5). Applicants submit that as disclosed in DVB A038, stuffing_descriptor (DVB A038, table 66) has a length that is different from the length of service list descriptor (DVB A038, table 62). Applicants submit that DVB A038 does not teach or

disclose “wherein service identifiers of network information that are not retransmitted are deleted and placeholder data that has the same length of the deleted service identifiers is added” (emphasis added), as cited in claim 7. Applicants submit that DVB ETR211 does not teach or disclose “wherein service identifiers of network information that are not retransmitted are deleted and placeholder data that has the same length of the deleted service identifiers is added” (emphasis added), as cited in claim 7.

Applicants submit that DVBA038 and DVB ETR211 do not disclose or teach “wherein a plurality of service list descriptors are appended to a transport stream identifier in accordance with the length of said transport stream descriptor for identifying a new or previous transmission” (emphasis added), as cited in claim 7.

Applicants submit that LaJoie, DVB A038, and DVB ETR211, taken alone or in combination, fail to teach or suggest the cited features in claim 7. Therefore, Applicants respectfully submit that claim 7 is patentable.

For reasons similar to those described above with regard to independent claim 7, amended independent claim 12 is also believed to be patentable.

Therefore, independent claims 7 and 12 are patentable.

IV. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

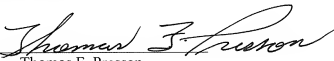
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portion or portions of the reference or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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